

110TH CONGRESS  
2D SESSION

# S. 3609

To amend the Residential Lead-Based Paint Hazard Reduction Act of 1992 to define environmental intervention blood lead level, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26 (legislative day, SEPTEMBER 17), 2008

Mrs. CLINTON introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To amend the Residential Lead-Based Paint Hazard Reduction Act of 1992 to define environmental intervention blood lead level, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Lead-Safe Housing  
5 for Kids Act of 2008”.

### 6 **SEC. 2. AMENDMENTS TO RESIDENTIAL LEAD-BASED PAINT** 7 **HAZARD REDUCTION ACT OF 1992.**

8 (a) AMENDMENTS.—Section 1017 of the Residential  
9 Lead-Based Paint Hazard Reduction Act of 1992 (42  
10 U.S.C. 4852c) is amended—

1 (1) by striking “Not later than” and inserting

2 “(a) IN GENERAL.—Not later than”; and

3 (2) by adding at the end the following:

4 “(b) ENVIRONMENTAL INTERVENTION BLOOD LEAD  
5 LEVEL.—

6 “(1) IN GENERAL.—For purposes of this title  
7 and any regulations issued under this title, an envi-  
8 ronmental intervention blood lead level means the  
9 lower of—

10 “(A) 10 ug/dL (micrograms of lead per  
11 deciliter); or

12 “(B) the elevated blood lead level of con-  
13 cern for a child under 6 years of age that has  
14 been recommended by the Centers for Disease  
15 Control and Prevention.

16 “(2) RELATION TO OTHER AUTHORITIES.—  
17 Nothing in this Act may be construed to affect the  
18 authority of the Environmental Protection Agency  
19 under section 403 of the Toxic Substances Control  
20 Act (15 U.S.C. 2683).”.

21 (b) REGULATIONS.—Not later than 90 days after the  
22 date of enactment of this Act, the Secretary of Housing  
23 and Urban Development shall amend the regulations of  
24 the Department of Housing and Urban Development to  
25 comply with the amendments made by subsection (a).

1 **SEC. 3. REPORT TO CONGRESS ON PREVIOUS LEAD HAZ-**  
2 **ARD INSPECTION PROGRAMS.**

3 (a) IN GENERAL.—Not later than 90 days after the  
4 date of enactment of this Act, the Secretary of Housing  
5 and Urban Development shall submit a report to Congress  
6 on the status of the program of the Department of Hous-  
7 ing and Urban Development known as the Big Buy pro-  
8 gram and any other voluntary programs the Secretary has  
9 implemented, or has planned to implement, through which  
10 the Secretary has conducted, or planned to conduct, lead  
11 evaluations of housing covered by section 35.715 of title  
12 24, Code of Federal Regulations (Lead Safe Housing Rule  
13 for pre-1978 assisted housing).

14 (b) CONTENTS.—The report under subsection (a)  
15 shall include—

16 (1) a description of the purpose of any program  
17 described in subsection (a) that is being imple-  
18 mented or is planned to be implemented;

19 (2) a statement of the amounts allocated for  
20 each such program;

21 (3) the identification of the sources of the fund-  
22 ing for each such program;

23 (4) a statement of the amount expended under  
24 each such program, as of the date of the submission  
25 of the report;

1           (5) a statement of the number of properties and  
 2           the number of dwelling units intended to be covered  
 3           by each such program;

4           (6) a statement of the number of properties and  
 5           the number of dwelling units actually assisted by  
 6           each such program;

7           (7) a description of the status of each such pro-  
 8           gram, as of the date of the submission of the report;

9           (8) an explanation as to why each such pro-  
 10          gram has not been completed;

11          (9) a description of any enforcement actions  
 12          taken against owners of housing covered by section  
 13          35.715 of title 24, Code of Federal Regulations  
 14          (Lead Safe Housing Rule for pre-1978 assisted  
 15          housing) who were to have been held harmless with  
 16          respect to any noncompliance with section 1018 of  
 17          the Residential Lead-Based Paint Hazard Reduction  
 18          Act of 1992 (42 U.S.C. 4852d), or with any rules  
 19          implementing such section, during implementation of  
 20          such programs; and

21          (10) a timeline for completion of the remaining  
 22          properties and units covered by each such program.

23 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

24          (a) IN GENERAL.—There is authorized to be appro-  
 25          priated to carry out this Act and the amendments made

1 by this Act such sums as may be necessary for fiscal year  
2 2009.

3 (b) COSTS OF COMPLIANCE.—This Act and the  
4 amendments made by this Act shall not create any obliga-  
5 tion or requirement on the part of any owner of housing,  
6 public housing agency, or other party (other than the Sec-  
7 retary of Housing and Urban Development) to comply  
8 with any new obligations established by or pursuant to this  
9 Act or such amendments, except to the extent that the  
10 Secretary of Housing and Urban Development makes  
11 amounts available to such owner, agency, or party for the  
12 costs of such compliance.

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